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SEP 02 2008

Applicant Initiated Interview Request Form

Application No.: 10/559,910
Examiner: p. Centolanzi
Art Unit: 4165
Status of Application: non-final rejection

Tentative Participants:

- (1) Ex. Centolanzi
- (2) Stephen Funk Reg. No. #57,751
- (3) Erik Preston

Proposed Date of Interview: September 2, 2008, or as soon as possible
Proposed Time: anytime
Type of Interview Requested: telephone

Issues To Be Discussed

- 1) Ishii et al. (U.S. 6,588,529) does not teach or suggest that the exhaust pipe 149 "is substantially parallel to the lock arm placing section in the motorcycle width direction," as recited in claim 23. As seen in Figs. 4 and 5 of Ishii et al., the exhaust pipe 149 is positioned well below the lock arm placing section 163.
- 2) The lock arm placing section 163 of Ishii et al. extends entirely across the width dimension of the motorcycle. See, for example, column 12, lines 19-24 and Figs. 29 and 30 of Ishii et al. Thus, one of ordinary skill in the art would not modify the location of the exhaust pipe 149 and muffler 131 of Ishii et al. to be parallel to the lock arm placing section 163 because a substantial amount of storage space in the lock arm placing section would be lost.
- 3) Tanabe et al. (U.S. 6,860,359) teaches a muffler 55 arranged directly below a seat and along a center line of the motorcycle. See, for example, Figs. 1 and 6 of Tanabe et al. Assuming *arguendo* that one of ordinary skill in the art would modify Ishii et al. in view of Tanabe et al., the only logical resulting combination would be locating the muffler 55 (and exhaust pipe) of Tanabe et al. arranged along the centerline of the motorcycle and below the lock arm placing section 163 of Ishii et al. That is, the combination of Ishii et al. and Tanabe et al. does not teach or suggest the features recited in claim 23.